

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

IAN WRIGHT

v.

CHARLES LEE

PRISONER  
CASE NO. 3:09CV1206 (SRU) (WIG)

**RULING ON PENDING MOTIONS**

On April 14, 2010, the Court granted the petitioner's motion to stay this habeas petition until he completed exhaustion of his state court remedies concerning ineffective assistance of counsel claims in the petition. On May 16, 2013, the petitioner filed a letter with the Clerk asking that the stay be lifted. The Clerk docketed the letter as motion to lift the stay. On May 22, 2013, the Court granted the motion. Pending before the Court are numerous motions filed by petitioner.

In his motion for extension of time, the petitioner seeks to extend the original stay entered in this case. He indicates that a Connecticut Superior Court Judge ruled on his state habeas petition on February 24, 2012 and that he appealed the decision. Research reflects that on January 14, 2014, the Connecticut Appellate Court dismissed the petitioner's appeal of the denial of his state habeas petition. See *Wright v. Commissioner*, No. 34562, 2014 WL 46635 (Jan. 14, 2014). To complete exhaustion of his state court remedies, the petitioner must file a petition for certification to appeal the decision of the appellate court with the Connecticut Supreme Court.

In view of these facts, the court will construe the "Motion for Extension of Time on Order for Stay of Proceedings" as a motion for leave to re-impose the stay of this action pending exhaustion of state court remedies. The motion to re-impose the stay of this habeas petition is granted.

### **Conclusion**

The "Motion for Extension of Time on Order for Stay of Proceedings," [Doc. No. 27] which the Court has construed as a motion for leave to re-impose the stay of this action pending exhaustion of state court remedies, is **GRANTED**. The case is **STAYED** until further notice. The Motions for Evidentiary Hearing, Appointment of Counsel and to Amend the Petition [Docs. Nos. 26, 28, 30] are **DENIED** without prejudice as premature. The Motion to Proceed *In Forma Pauperis* [Doc. No. 29] is **DENIED**. The petitioner has set forth no basis to grant him leave to proceed *in forma pauperis* at this stage of the case.

Within **thirty** days after the petitioner has completed the exhaustion of his state court remedies with respect to all grounds in the petition, the petitioner shall file a motion to lift the stay and report that all grounds have been fully exhausted. The motion must be accompanied by an amended petition for writ of habeas corpus including the grounds he seeks to have the court consider and copies of any state court decisions documenting the exhaustion of those grounds. The petitioner is on notice that the

Amended Petition must be filed on a Court Form. The Clerk shall send the petitioner an Amended Section 2254 Petition for Writ of Habeas Corpus form with a copy of this Ruling.

**SO ORDERED** this 10<sup>th</sup> day of February, 2014, at Bridgeport, Connecticut.

/s/ Stefan R. Underhill  
STEFAN R. UNDERHILL  
UNITED STATES DISTRICT JUDGE